#### UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY	)
AVERAGE WHOLESALE PRICE	) MDL No. 1456
LITIGATION	) CIVIL ACTION: 01-CV-12257-PBS
	)
THIS DOCUMENT RELATES TO:	) Judge Patti B. Saris
ALL ACTIONS	
ALL ACTIONS	)
	)

# **NOTICE OF FILING UNDER SEAL**

To: All Counsel of Record

Please take notice that on July 19, 2006, we, as attorneys for plaintiffs, caused to be filed under seal with the Clerk of the United States District Court for the District of Massachusetts the following items:

- 1. Plaintiffs' Reply Memorandum in Support of Motion to Certify Claims With Respect to Track 2 Defendants;
- 2. Reply Declaration of Steve W. Berman in Support of Plaintiffs' Reply Memorandum in Further Support of Motion to Certify Claims With Respect to Track 2 Defendants;
- 3. Declaration of Jennifer Fountain Connolly in Support of Plaintiffs' Reply Memorandum in Further Support of Motion to Certify Claims With Respect to Track 2 Defendants; and
- 4. Declaration of Donald E. Haviland, Jr., Esquire in Support of Plaintiffs' Reply Memorandum in Further Support of Motion to Certify Claims With Respect to Track 2 Defendants.

DATED: July 19, 2006

## By /s/ Steve W. Berman

Thomas M. Sobol (BBO#471770)
Edward Notargiacomo (BBO#567636)
Hagens Berman Sobol Shapiro LLP
One Main Street, 4th Floor
Cambridge, MA 02142
Telephone: (617) 482-3700

#### LIAISON COUNSEL

Facsimile: (617) 482-3003

Steve W. Berman Sean R. Matt Hagens Berman Sobol Shapiro LLP 1301 Fifth Avenue, Suite 2900 Seattle, WA 98101 Telephone: (206) 623-7292

Telephone: (206) 623-7292 Facsimile: (206) 623-0594

Elizabeth Fegan Hagens Berman Sobol Shapiro LLP 60 W. Randolph Street, Suite 200 Chicago, IL 60601 Telephone: (312) 762-9235 Facsimile: (312) 762-9286

Eugene A. Spector Jeffrey Kodroff Spector, Roseman & Kodroff, P.C. 1818 Market Street, Suite 2500 Philadelphia, PA 19103

Telephone: (215) 496-0300 Facsimile: (215) 496-6611

Kenneth A. Wexler Jennifer Fountain Connolly The Wexler Firm LLP One North LaSalle Street, Suite 2000 Chicago, IL 60602 Telephone: (312) 346-2222

Facsimile: (312) 346-2222

Marc H. Edelson Allan Hoffman Edelson & Associates LLC 45 West Court Street Doylestown, PA 18901 Telephone: (215) 230-8043 Facsimile: (215) 230-8735

Shanin Specter Donald E. Haviland, Jr. Kline & Specter, P.C. 1525 Locust Street, 19th Floor Philadelphia, PA 19102 Facsimile: (215) 772-1359 Telephone: (215) 772-1000

CO-LEAD COUNSEL FOR PLAINTIFFS

## **CERTIFICATE OF SERVICE**

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **NOTICE OF FILING UNDER SEAL** be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on July 19, 2006, a copy to LexisNexis File and Serve for Posting and notification to all parties

By /s/ Steve W. Berman
Steve W. Berman
HAGENS BERMAN SOBOL SHAPIRO LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
(206) 623-7292